

AN ACT

ENTITLED, An Act to repeal certain outdated statutorily created funds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 1-6-3.3 be amended to read as follows:

1-6-3.3. The Bureau of Administration shall charge a royalty for the privilege of using the seal, the state commemorative medallion design, or the state bullion piece design. The Bureau of Administration may not charge a royalty if the state seal, the state commemorative medallion design, or the state bullion piece design is used for an educational purpose. The royalty fee collected for the use of the state commemorative medallion design shall be deposited in the commemorative coin fund provided for in § 1-6-23. All other royalty fees collected pursuant to this chapter shall be deposited in the state general fund.

Section 2. That § 1-6-22 be amended to read as follows:

1-6-22. The bureau may conduct annual contests for or otherwise arrange for the artwork for the state medallions or bullion pieces and may award an annual prize of one thousand dollars for the selected artwork to be paid from dedicated royalty proceeds deposited in the commemorative medallion fund. For any design selected, the State of South Dakota shall retain exclusive rights and shall hold the copyright thereon. Only designs by South Dakota artists are eligible for consideration.

Section 3. That § 1-6-23.1 be repealed.

Section 4. That § 1-13A-1 be repealed.

Section 5. That § 1-13A-2 be repealed.

Section 6. That § 1-13A-3 be repealed.

Section 7. That § 1-14-12.13 be repealed.

Section 8. That § 1-14-12.16 be amended to read as follows:

1-14-12.16. The operations of the Bureau of Administration in establishing and administering

§§ 1-14-12, 1-14-12.12 to 1-14-12.18, inclusive, and 1-14-14 to 1-14-14.2, inclusive, shall be financed by means of appropriations, gifts, grants, or reimbursements for services rendered. The fees and charges for services shall be designed, to the extent practicable, to recover all operational costs incurred to carry out the provisions of the contracts between public corporations and the Bureau of Administration.

Section 9. That § 1-16G-20 be repealed.

Section 10. That § 1-16G-21 be repealed.

Section 11. That § 1-16G-22 be repealed.

Section 12. That § 1-16G-23 be repealed.

Section 13. That § 1-44-35 be repealed.

Section 14. That § 4-7-30 be repealed.

Section 15. That § 5-14-24 be repealed.

Section 16. That § 5-14-25 be amended to read as follows:

5-14-25. Upon authorization and prior to the legislative session, if the Bureau of Administration determines that it is necessary to carry out any of the projects in the state facility construction plan, the bureau shall, in cooperation with such federal, state, and local agencies or entities, or private interests as may be concerned, prepare preliminary cost estimates, resources, if any, to be contributed from all other sources in aid thereof, and estimates of the revenues which might be anticipated from the facility from all purposes and functions. The bureau shall make a comprehensive evaluation and allocation of the costs of all projects contained in the state facility construction plan among the various levels of government and private interests. The bureau's recommendations shall include with respect to each such project the amount or amounts to be shared by each and every level of user and may provide that the state's share will be apportioned over a period of years and may be funded by appropriations or as may otherwise be provided. The bureau shall formulate and determine the

priority or priorities of any or all such projects and the sufficient financing thereof.

Section 17. That § 5-14-28 be amended to read as follows:

5-14-28. If an emergency affecting the public health and safety of the state arises for an immediate capital improvement project, the Bureau of Administration may present the project to the Governor for authorization and evaluation. A written determination made by the Bureau of Administration of the basis for the emergency capital improvement project shall be included with the request to the Governor.

Section 18. That § 5-15-21 be repealed.

Section 19. That § 5-15-23 be amended to read as follows:

5-15-23. The Capitol Complex Restoration and Beautification Commission may promulgate rules, pursuant to chapter 1-26, necessary and proper for the purposes of and not inconsistent with §§ 5-15-1 to 5-15-20, inclusive.

Section 20. That § 11-1-15 be repealed.

Section 21. That § 33-12-19 be repealed.

Section 22. That § 34-7-2 be amended to read as follows:

34-7-2. The Department of Health constitutes the sole agency of the state for the purpose of:

- (1) Making an inventory of existing hospitals, surveying the need for construction of hospitals, and developing a program of hospital construction as provided in §§ 34-7-8 to 34-7-18, inclusive; and
- (2) Developing and administering a state plan for the construction of public and other nonprofit hospitals as provided in §§ 34-7-8 to 34-7-18, inclusive.

Section 23. That § 34-7-11 be amended to read as follows:

34-7-11. The Department of Health shall prepare and submit to the federal secretary a state plan which shall include the hospital construction program developed under §§ 34-7-8 to 34-7-18,

inclusive, and which shall provide for the establishment, administration, and operation of hospital construction activities in accordance with the requirements of the federal act and regulations thereunder. The department shall, prior to the submission of such plan to the federal secretary, give adequate publicity to a general description of all the provisions proposed to be included therein, and hold a public hearing at which all persons or organizations with a legitimate interest in such plan may be given an opportunity to express their views.

Section 24. That § 34-7-19 be repealed.

Section 25. That § 34-7-24 be repealed.

Section 26. That § 38-20-3 be repealed.

Section 27. That § 38-20-4 be repealed.

Section 28. That § 38-20-5 be repealed.

Section 29. That § 40-8-37 be repealed.

Section 30. That § 46-2-15 be repealed.

Section 31. That § 46-2-16 be repealed.

Section 32. That § 46-10A-10 be repealed.

Section 33. That § 46A-1-34 be repealed.

Section 34. That § 46A-1-35 be repealed.

Section 35. That § 46A-1-61 be amended to read as follows:

46A-1-61. All money disbursed from the water and environment fund shall be authorized by an act of the Legislature for projects approved as part of the state water resources management system or for ongoing programs that have been or shall be established by the Legislature for the purpose of managing the state's water resources. All appropriations from the fund shall be in the form of loans unless otherwise directed by the Legislature. A grant from the fund made after July 1, 1982, for any project may not exceed eighty percent of the nonfederal share of expenditures for that project.

Section 36. That § 46A-1-80 be repealed.

Section 37. That § 46A-1-80.1 be amended to read as follows:

46A-1-80.1. All interest, title, and rights of ownership in the two eight-inch dredges and one ten-inch dredge and associated equipment and any money are hereby transferred to the South Dakota Lakes and Streams Association, for use in the restoration of lakes and streams, with priority given to lakes and streams in South Dakota. This transfer is effective only for so long as the dredges are owned by the association and are used for the above purpose. If the South Dakota Lakes and Streams Association ceases to exist or apply the dredges to the above purpose, all right, title, and interest in the dredges shall revert to the State of South Dakota. In the event of such reversion, the Bureau of Administration shall sell the dredges to the highest bidder, notwithstanding any requirements of chapter 5-23 in regard to minimum bids.

Section 38. That chapter 50-14 be repealed.

An Act to repeal certain outdated statutorily created funds.

=====

I certify that the attached Act  
originated in the

SENATE as Bill No. 64

\_\_\_\_\_  
Secretary of the Senate  
=====

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 64

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

=====

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
=====

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State